

ATTORNEY DOCKET NO: 22000(1)9711 CON 3

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicant: Placke, Michael E., et. al.                               | Art Unit: 1616            |
| Serial No: 10/066,831  | Examiner: Pryor, Alton N. |
| Filed: 02/04/2002  |                           |
| For: Formulation And Methods For<br>Treating Neoplasms by Inhalation |                           |

**STATEMENT OF SMALL ENTITY STATUS**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Dear Sir:

Applicants hereby request small entity status for the above-identified application. Applicants elected large entity status for the Application USSN 10/066,831 at the time it was filed because Applicants were in discussion with a large entity regarding the possibility of licensing the subject matter of the above-identified application to such large entity. These discussions have been discontinued. Accordingly, Applicants desire to establish small entity status for the above-identified application.

BattellePharma, Inc., assignee of USSN 10/066, 831 is a small business concern, that has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention claimed by USSN 10/066,843. BattellePharma employs less than fifty (50) employees and thus far has not shown a profit. BattellePharma meets the standards set forth in 13 CFR part 121 and is eligible for reduced patent fees.

#6  
7/8/03

It is respectfully asserted that BattellePharma meets the requirements for a small entity and that the above-identified application is entitled to pay reduced patent fees.

Respectfully submitted,

Dated: July 1, 2003

By: Patricia A. Coburn  
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